

Inc., on all theories alleged by Plaintiff.

12. The material facts establish that the defect in the design or manufacturer of the product in question was the proximate cause of Mr. Ferguson's injuries.

13. The material facts establish that Commercial Carriers, Inc., is not entitled to summary judgment in its favor on the strict liability and negligent failure to warn claims.

14. The material facts establish that Commercial Carriers, Inc., is not entitled to summary judgment in its favor on the implied warranty claims.

15. The material facts establish that Commercial Carriers, Inc., is not entitled to summary judgment in its favor on the strict liability and negligent design defects claims.

16. Commercial Carriers, Inc.'s, Motion For Summary Judgment is denied.

Respectfully submitted,

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